

January 12, 2010
INVITATION TO BID 10-09

Sealed bids for pool chemicals for a period of one (1) year and month to month thereafter upon mutual agreement of both parties, will be received by the Purchasing Agent, P-100 First Floor City Hall, Birmingham, Alabama until 2:00 p.m., February 9, 2010 at which time and place they will be publicly opened and read.

Bidders wishing to bid can download the complete solicitation including the specifications and bid forms via the internet at www.birminghamal.gov (go to the link titled **Bidding Opportunities**), or by visiting the Purchasing Office at the address shown above, or by calling (205) 254-2265, fax (205) 254-2484 and requesting a copy be mailed to you. Any addenda will be available on the internet, and mailed to only those vendor who were provided a copy in person or by mail.

All quotations are to be f.o.b. Birmingham, Alabama delivered.

It is required for any contract exceeding \$10,000.00 that the bidder submit with his bid either a certified check, a cashier's check, or a bid bond payable to the City of Birmingham. In order for any bid award to be considered that exceeds \$10,000.00, your bid must be accompanied by an acceptable bid bond or check in the amount of \$500.00.

The City follows a policy of nondiscrimination. No contractor with the City should discriminate on the basis of race, sex, religion or national origin. The City considers affirmative action to eliminate the vestiges of discrimination to be an integral part of this policy of nondiscrimination.

No bid may be withdrawn for a period of sixty (60) days after the date of the bid opening.

The City reserves the right to reject any or all bids submitted any part or section of any bid, and to waive any informalities.

Bids must be submitted in a sealed envelope marked, **"SEALED BID – POOL CHEMICALS 2:00 P.M., 02-09-10"**. Bids may be hand delivered to Room P-100 First Floor City Hall, Birmingham, Alabama or mailed to City of Birmingham, P.O. Box 11295, Birmingham, Alabama 35202-1295. **(DO NOT MAIL BIDS TO ROOM P-100 1ST FLOOR CITY HALL). However, bids sent by any express carrier (i.e. Federal Express, UPS, Airborne, etc.) must be mailed to 710 North 20th Street, and specify delivery to Room P-100, 1st Floor-City Hall.**

It is the bidder's responsibility to make sure that his bid is in the possession of the Purchasing Agent on or before 2:00 p.m., February 9, 2010. Bids received after this time will not be considered.

W. E. Caffee, Assistant Purchasing Agent

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Attachment
B.N. 01/18/10

SPECIFICATIONS FOR POOL CHEMICALS FOR THE CITY OF BIRMINGHAM

GENERAL:

The City of Birmingham is seeking bids for an annual contract for the supply of pool chemicals. The basis of the bid shall consist primarily of any and all pool chemicals which the City may require during the life of the contract. The City intends to award on a total lot basis to the lowest priced, responsive, responsible bidder.

The proposed contract shall extend for a minimum time frame of one (1) year with a month to month extension thereafter, at the prices originally bid, upon mutual agreement of both parties. This extension phase is not to exceed twenty-four (24) months. Prior to the end of the initial contract year or during any extension phase of this contract, the successful bidder(s) shall give the City an advanced thirty (30) days written notice if they wish to terminate the extension period. The life of the contract shall exist with the provision that no price increase in the original bid prices shall be allowed.

Failure to adhere to any or all terms, conditions and specifications as set forth in the contract may result in the immediate termination of the contract. Should termination occur, the holder of the contract may be declared a "non-responsible vendor." This declaration may result in the rejection of any future bids submitted by the vendor for a period of time to be determined by the City.

The City of Birmingham does not anticipate utilization of a long, formal, written contract document to bind the City and the successful bidder to an agreement. The City will issue purchase orders to the successful bidders as items are required. The successful bidder acknowledges by acceptance of City purchase orders for awarded items that the bidder is bound to the terms, conditions and requirements as stated in this document.

Each bidder is to extend unit prices and provide an extended total for each line item being bid. If the extended total of all items being bid exceeds \$10,000.00, a bid bond, a cashier's check, or certified check in the amount of \$500.00 is required to accompany your bid. In order for any bid award to be made that exceeds \$10,000.00 your bid must have been accompanied by an acceptable bid bond or check **(REFERENCE COVER LETTER OF "INVITATION TO BID")**.

The City may require samples of any product before an award is made. Any samples requested must be made available to the City within seventy-two (72) hours of request. Failure to provide the samples within this time frame will result in the rejection of the products from award consideration. Said samples will be a factor in evaluation of bids.

Successful bidder shall not assign this contract to any other party without prior written approval of the City of Birmingham. Contract shall not be assigned to an unsuccessful bidder who was rejected because he was not a responsive or responsible bidder.

The contract shall become effective from the date noted in the Notification of Award Letter(s), which will be mailed to the successful vendor(s).

All bids submitted are to be F.O.B. City of Birmingham delivered. The City will state delivery location with each order placed.

Any bid that imposes a service fee or any other type of fee on any order not exceeding a minimum order quantity or minimum purchase order dollar amount, will be determined a non-responsive bid and will not be considered for award.

SPECIFICATIONS FOR POOL CHEMICALS FOR THE CITY OF BIRMINGHAM

The City has limited storage facilities so timely delivery shall be a consideration. The successful bidder shall guarantee full delivery within twenty (20) working days of receipt of order. Consistent failure to meet delivery times will constitute grounds for the termination of the awarded section of the contract and the declaration of the vendor as a "non-responsible vendor". This declaration will result in the rejection of any future bids submitted by the vendor.

The City reserves the right to cancel the contract, in whole or part after giving 30 days notice, and seek new bids at any time the City determines that the item or product line being supplied is failing to perform satisfactorily.

The City's standard payment terms are net 30 days from acceptance. Exception may be allowed for discounted early payment, such as 2% 10 net 30 days. The City will not consider any bids requiring C. O. D. payments.

Any questions concerning these specifications should be addressed to the Purchasing Division, at (205) 254-2265, fax (205) 254-2484 between the hours of 8:00 a.m. and 4:00 p.m. Monday through Friday.

The quantities on the bid form are estimated annual quantities only. Chemicals are normally ordered twice each season, ½ of the estimated product per order with smaller fill in orders as needed. First order should be approximately the first of March. Merchandise shall be ordered as requirements dictate. The City reserves the right to purchase more or less than this quantity as conditions require, and no bidder shall attempt to hold the quantities shown as a firm quantity under this contract.

Should other pool chemical items currently not shown on the bid form be required during the life of the contract, the City reserves the right to seek verbal bids from only the responsive respondents of this Invitation to Bid, and to make an award of these additional items to the lowest responsive, responsible bidder(s) for the remaining life of the contract.

Bids may be solicited for the products included in this contract where an immediate/emergency need exists, including large quantities. The decision of the Purchasing Agent as to what constitutes a biddable situation shall be final and shall not be construed as a breach of contract.

Contract award to purchase the materials covered in this bid document shall be construed under and governed by the laws of the State of Alabama and each party hereto irrevocably agrees to be subject to the jurisdictions of the courts of the State of Alabama.

Successful bidder acknowledges and agrees that the City has the right to deduct from total amount of consideration to be paid, if any, to the successful bidder under this agreement all unpaid, delinquent, or overdue license fees, taxes, fines, penalties and other amounts due to the City from the successful bidder.

City of Birmingham must have a copy of the successful bidder's current City of Birmingham business license prior to formal award of contract. Each bidder may submit a copy of his/her license along with his/her bid. However, bidder must provide a copy of his/her current business license no later than 7 working days of receipt of notice of intent to award. Failure to submit the requested information will result in the notice of intent to award being revoked.

POOL CHEMICALS

100 Bags	Soda Ash, in 50 lb. bags
200 Bags	Diatomaceous earth, in 25 lb. bags
170 Drums	Trichlor Maxi Sticks, in 50 lb. drum
500 Gallons	Muriatic Acid 20° Baume Acid 32% strength, in 4 x 1 gallon case only, no single bottles
50 Drums	Calcium Hypochloride granular, in 100 lb. drums
200 Bags	Sodium Bicarbonate, in 50 lb. bags

Mr. William Caffee
Asst. Purchasing Agent
Birmingham, AL

BID FORM

Submitted below is my firm bid for pool chemicals for the City of Birmingham in accordance with your invitation to bid and specifications dated January 12, 2010. Prices quoted are f.o.b. Birmingham, AL delivered and I am bidding in accordance with the specifications except as listed below.

Approx. Quantity	Description	Unit Price	Extended Total
100 Bags	Soda Ash / 50 lb.bag	/bag	
200 Bags	Diatomaceous earth /25 lb. bag	/bag	
170 Drums	Trichlor Maxi Sticks / 50 lb. drum	/drum	
500 Gallons	Muriatic Acid 20° Baume Acid 32% strength, in 4 x 1 gallon case only, no single bottles	/gal.	
50 Drums	Calcium Hypochloride granular /100 lb. drum	/drum	
200 Bags	Sodium Bicarbonate /50 lb. bag	/bag	
GRAND TOTAL _____			

I hereby certify that we do not discriminate in employment of our personnel against any persons on account of race, creed, color, sex, or national origins, and acknowledges and agrees that the City encourages minority - and women – owned business participation to the maximum extent possible. This policy includes Historically Underutilized Business Enterprises such as architectural firms, engineering firms, investment banking firms, other professional service providers, and construction contractors as part of the City's business, economic and community revitalization programs.

EXCEPTIONS TO SPECIFICATIONS:

Date of Bid

Company

Street Address

Post Office Box Zip (if different from street address)

Terms of Payment

City State Zip

Telephone Number

Signature

Fax Number

Name (Print or Type)

Tax ID Number

Title

Delivery Date

E-mail Address